

**ORDINANCE NO. 030130-28**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 919 EAST 32<sup>ND</sup> STREET FROM GENERAL OFFICE (GO) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general office (GO) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No.C14-02-0150, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.175 acre tract of land, more or less, out Lot 1, Saint David's Community Hospital Addition, a subdivision in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 919 East 32<sup>nd</sup> Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses of the Property are prohibited uses:

Agricultural sales and services	Art and craft studio (general)
Automotive sales	Automotive repair services
Automotive rentals	Automotive washing (of any type)
Building maintenance services	Campground
Commercial blood plasma center	Commercial off-site parking
Construction sales and services	Consumer convenience services
Consumer repair services	Convenience storage
Drop-off recycling collection facility	Electronic prototype assembly
Equipment repair services	Equipment sales
Exterminating services	Financial services
Food sales	Funeral services

General retail sales (convenience)  
Hotel-motel  
Indoor sports and recreation  
Laundry service  
Outdoor entertainment  
Pawn shop services  
Pet services  
Research services  
Restaurant (general)  
Theater  
Veterinary services  
Limited warehousing and distribution  
Transitional housing

General retail sales (general)  
Indoor entertainment  
Kennels  
Monument retail sales  
Outdoor sports and entertainment  
Personal improvement services  
Plant nursery  
Restaurant (drive-in, fast food)  
Service station  
Vehicle storage  
Custom manufacturing  
Maintenance and service facilities  
Transportation terminal

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

**PART 3.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on February 10, 2003.

**PASSED AND APPROVED**

\_\_\_\_\_  
January 30, 2003

§  
§  
§  
§  
\_\_\_\_\_  
*Gustavo L. Garcia*

Gustavo L. Garcia  
Mayor

APPROVED: \_\_\_\_\_  
*Sedora Jefferson*  
Sedora Jefferson  
City Attorney

ATTEST: \_\_\_\_\_  
*Shirley A. Brown*  
Shirley A. Brown  
City Clerk



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaça Road  
Building One  
Austin, Texas 78704

Exhibit "A"  
Zoning Description

1.175 ACRES  
LOT 1, ST. DAVID'S COMMUNITY HOSPITAL ADDITION

A DESCRIPTION OF 1.175 ACRES, BEING ALL OF A 51,075 S.F. TRACT DESCRIBED IN ORDINANCE NO. 79 1025-F, DATED OCTOBER 25, 1979, AND BEING OUT OF OUTLOT 23 DIVISION "C" OF THE GOVERNMENT TRACT ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND A PORTION OF LOT 1, ST. DAVID'S COMMUNITY HOSPITAL ADDITION, A SUBDIVISION OF RECORD IN VOLUME 81, PAGE 366 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO COLUMBIA/ST. DAVID'S HEALTHCARE SYSTEM, L.P. BY A CORRECTIVE SPECIAL WARRANTY DEED DATED JULY 8, 1996, IN VOLUME 12725, PAGE 1436 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.175 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with cap set in the southwest right-of-way line of East 32<sup>nd</sup> Street (60' right-of-way) being at a point of curvature in the northeast line of Lot 1, St. David's Community Hospital Addition;

**THENCE** along the southwest right-of-way line of East 32<sup>nd</sup> Street, being the northeast line of Lot 1, South 62°31'37" East a distance of 222.90 feet to a calculated point for the northeast corner of the said 51,075 S.F. Tract, from which a concrete nail found in a brick wall being at an angle point in the northeast line of Lot 1 bears South 62° 31'37" East, a distance of 20.00 feet;

**THENCE** South 27°06'15" West, crossing Lot 1, with the east line of the 51,075 S.F. Tract, a distance of 356.70 feet to a calculated point in the north right-of-way line of Red River Street (right-of-way width varies), being also the south line of Lot 1;

**THENCE** with the north line of Red River Street, being also the south line of Lot 1, and being also the south line of the 51,075 acre tract, the following nine (9) courses.

1. North 16°20'08" West, a distance of 152.89 feet to a 1/2" rebar found;
2. Along a curve to the right, an arc length of 47.07 feet, a delta angle of 04°08'51", a radius of 650.25 feet, and a chord which bears North 14°03'47" West, a distance of 47.06 feet to a 1/4" iron pipe found;

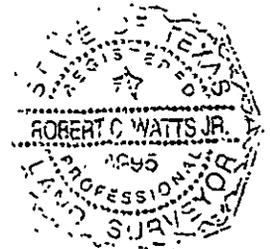
3. Along a curve to the right, an arc length of 25.51 feet, a delta angle of  $29^{\circ}14'04''$ , a radius of 50.00 feet, and a chord which bears North  $02^{\circ}42'49''$  East, a distance of 25.24 feet to a Hilti nail found;
4. Along a curve to the left, an arc length of 21.94 feet, a delta angle of  $25^{\circ}08'09''$ , a radius of 50.00 feet, and a chord which bears North  $04^{\circ}24'11''$  East, a distance of 21.76 feet to a Hilti nail found;
5. Along a curve to the right, an arc length of 80.19 feet, a delta angle of  $07^{\circ}11'14''$ , a radius of 639.25 feet, and a chord which bears North  $04^{\circ}30'34''$  West, a distance of 80.13 feet to a 1/2" rebar found,
6. Along a curve to the left, an arc length of 21.75 feet, a delta angle of  $25^{\circ}07'49''$ , a radius of 50.00 feet, and a chord which bears North  $13^{\circ}29'08''$  West, a distance of 21.75 feet to a 1/2" rebar with cap set;
7. Along a curve to the right, an arc length of 25.48 feet, a delta angle of  $29^{\circ}11'59''$ , a radius of 50.00 feet, and a chord which bears North  $11^{\circ}12'41''$  West, a distance of 25.21 feet to a Hilti nail found;
8. Along a curve to the right, an arc length of 40.02 feet, a delta angle of  $03^{\circ}31'33''$ , a radius of 650.25 feet, and a chord which bears North  $04^{\circ}55'52''$  East, a distance of 40.01 feet to a 1/2" rebar with cap set;
9. Along a curve to the right, an arc length of 38.80 feet, a delta angle of  $111^{\circ}03'15''$ , a radius of 20.02 feet, and a chord which bears North  $62^{\circ}03'52''$  East, a distance of 33.01 feet to the **POINT OF BEGINNING**, containing 1.175 acres of land, more or less.

Surveyed on the ground in September 1999. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA Control Network. Attachments. 006-86ZO-1.

*Robert C. Watts Jr.* 9-18-02

Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995

REFERENCES  
TCAD Parcel #02-1407-0133  
Austin Grd map K-24



A DESCRIPTION OF 1.175 ACRES, BEING ALL OF A 51,075 S.F. TRACT DESCRIBED IN ORDINANCE NO. 79 1025-F, DATED OCTOBER 25, 1979, AND BEING OUT OF OUTLOT 23 DIVISION "C" OF THE GOVERNMENT TRACT ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND A PORTION OF LOT 1, ST. DAVID'S COMMUNITY HOSPITAL ADDITION, A SUBDIVISION OF RECORD IN VOLUME 81, PAGE 366 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO COLUMBIA/ST. DAVID'S HEALTHCARE SYSTEM, L.P. BY A CORRECTIVE SPECIAL WARRANTY DEED DATED JULY 8, 1996, IN VOLUME 12725, PAGE 1436 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

BEARING BASIS. GRID AZIMUTH FOR TEXAS CENTRAL ZONE.  
1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS. METES AND BOUNDS DESCRIPTION 006-8620-1

NUMBER	DIRECTION	DISTANCE	(RECORD)
L1	S27°09'11"W	19.98'	(N30°05'20"E 20.00')

NUMBER	DELTA	BEARING	RADIUS	ARC	CHORD	(RECORD CHORD)
C2	04°08'51"	N14°03'47"W	650.25	47.07	47.06	(N11°15'00"W 47.14')
C3	29°14'04"	N02°42'49"E	50.00	25.51	25.24	(N5°27'00"E 25.23')
C4	25°08'09"	N04°24'11"E	50.00	21.94	21.76	(N7°29'00"E 21.79')
C5	07°11'14"	N04°30'34"W	639.25	80.19	80.13	(N1°31'00"W 79.95')
C6	25°07'49"	N13°29'08"W	50.00	21.93	21.75	(N10°31'00"W 21.79')
C7	29°11'59"	N11°12'41"W	50.00	25.48	25.21	(N8°29'00"W 25.23')
C8	03°31'33"	N04°55'52"E	650.25	40.02	40.01	(N7°54'00"E 39.99')
C9	111°03'15"	N62°03'52"E	20.02	38.80	33.01	(65°02'00"E 32.95')

*Went Wor*  
*9-18-02*



DATE OF SURVEY: SEPT. 1999  
PLOT DATE: 9/18/2002  
DRAWING NO.: 06-8620-1  
PROJECT NO.: 036-086

**Chaparral**

WEST 32ND STREET  
(60' R.O.W)

P.O.B.

S62°31'37"E 242.90'  
(S59°34'30"E 242.90')  
222.90'

20.00'

ST. DAVIDS COMMUNITY HOSPITAL ADDITION  
81/366

1.175 ACRES

1"=50'

MEDICAL  
ARTS ST.

RED RIVER ST.  
(R.O.W. VARIES)

S27°06'15"W 356.70'  
(S30°18'00"W 356.12')

152.89'

N16°20'08"W 365.26'  
(N13°19'15"W 365.19')

212.38'

- LEGEND**
- 1/2" REBAR FOUND
  - 1/2" REBAR WITH CAP SET
  - CALCULATED POINT
  - ▶ HILTI NAIL FOUND
  - ⊙ 1/4" IRON PIPE FOUND

Chaparra

C9

C8

C7

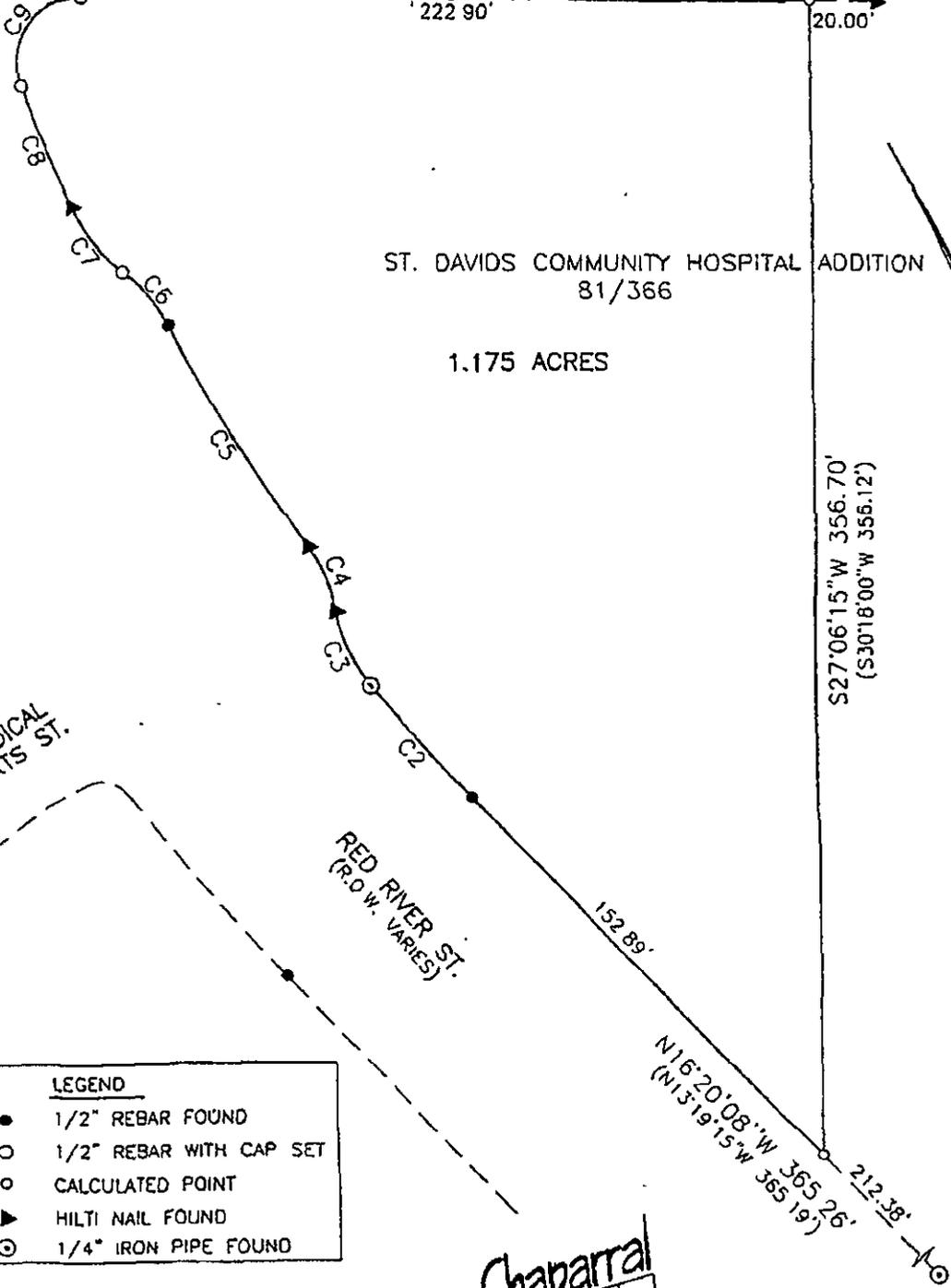
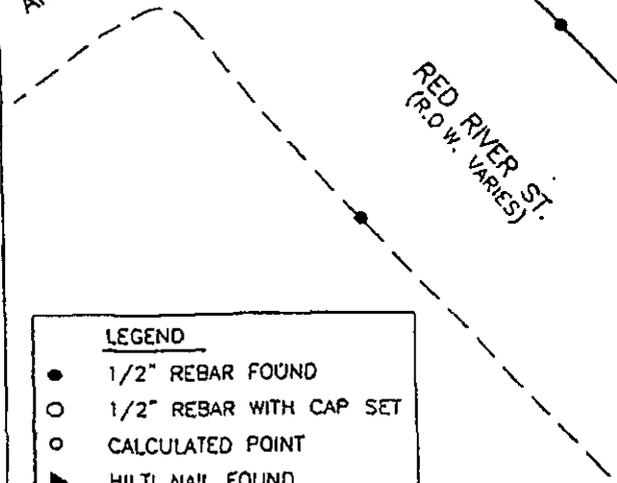
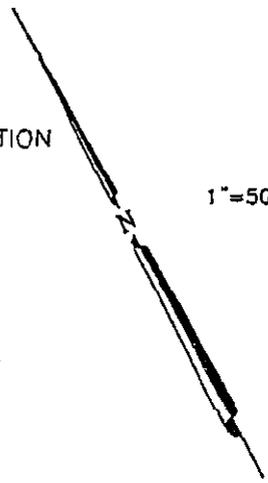
C6

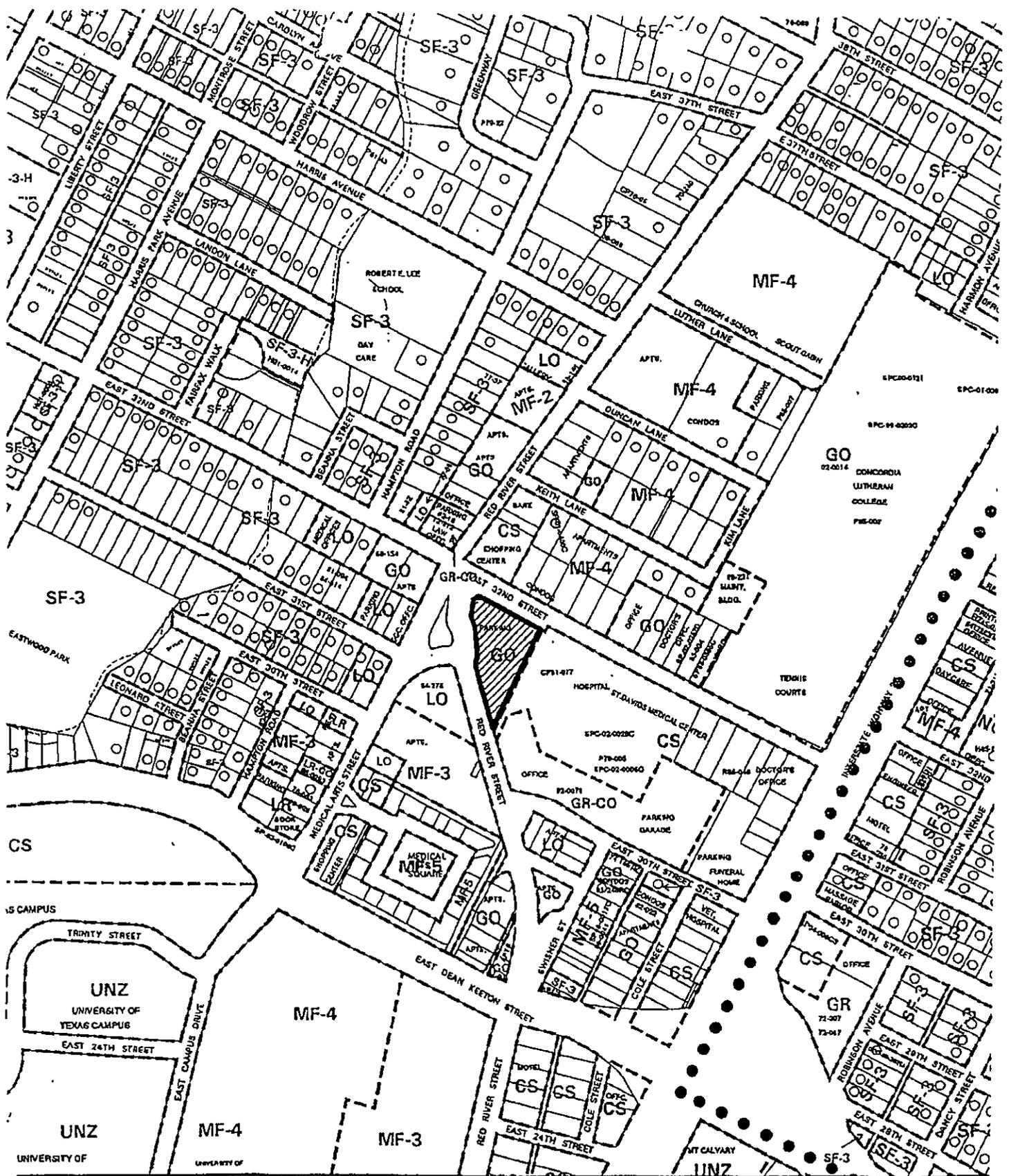
C5

C4

C3

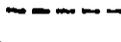
C2





SPC-01-021  
 SPC-99-0220  
 GO 02-0516  
 CONCORDIA LUTHERAN COLLEGE  
 PHS-001

SPC-02-0028C  
 P79-006  
 EPC-02-00060  
 P3-0071  
 P3-0072  
 P3-0073  
 P3-0074  
 P3-0075  
 P3-0076  
 P3-0077  
 P3-0078  
 P3-0079  
 P3-0080  
 P3-0081  
 P3-0082  
 P3-0083  
 P3-0084  
 P3-0085  
 P3-0086  
 P3-0087  
 P3-0088  
 P3-0089  
 P3-0090  
 P3-0091  
 P3-0092  
 P3-0093  
 P3-0094  
 P3-0095  
 P3-0096  
 P3-0097  
 P3-0098  
 P3-0099  
 P3-0100

  
 SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: G. RHOADES

ZONING **EXHIBIT B**  
 CASE #: C14-02-0150  
 ADDRESS: 919 E 32ND STREET  
 SUBJECT AREA (acres): 1175  
 DATE: 02-09  
 INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 K24

AMENDMENT OF RESTRICTIVE COVENANT  
FOR  
ZONING CASE NO. C14-02-0150

Owner: Columbia/St. David's Healthcare System, L.P.,  
a Texas limited partnership

Address: 98 San Jacinto Blvd., Suite 1800, Austin, TX 78701

City: The City of Austin, a home-rule city, municipal corporation and political  
subdivision of the State of Texas, in Travis County, Texas.

City Council: The City Council of the City of Austin

Consideration: Ten and No/100 Dollars (\$10 00) and other good and valuable  
consideration paid by the Owner to the City of Austin, the receipt and  
sufficiency of which is acknowledged.

WHEREAS, the Owner of all that certain property (the "Property") described in Zoning File No. C14-02-0150, and more particularly described in the restrictive covenant recorded in the Real Property Records of Travis County, Texas, in Document No. 2003050494, (the "Restrictive Covenant") imposed certain restrictions and covenants on the Property by the Restrictive Covenant of record.

WHEREAS, the Restrictive Covenant provided that the covenant could be modified, amended, or terminated by joint action of both (a) a majority of the members of the City Council, and (b) the Owner of the Property at the time of such modification, amendment or termination.

WHEREAS, the Owner of the Property now desires to amend the Restrictive Covenant as to the Property.

WHEREAS, the City Council and the Owner agree the Restrictive Covenant should be amended.

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreement hereinafter set forth, the City of Austin and the Owner agree as follows:

1. Paragraph No. 1 of the Restrictive Covenant is amended to remove the tree numbered 1057 from this provision.
2. Paragraph No. 2 of the Restrictive Covenant is deleted in its entirety and the following provision is substituted in its place:
  2. Owner agrees to relocate and preserve the tree numbered 1057 as identified on Exhibit A

# 2-2  
5-15-03

3. The Restrictive Covenant is amended to include the following provisions and to renumber its remaining paragraphs:
  6. The Owner shall comply with applicable provisions of the Environmental Criteria Manual, Appendix P-6, regarding trees on the Property
  7. Owner agrees to deposit the sum of \$120,000.00 into the Urban Forest Replenishment Fund no later than June 21, 2003.
4. Except as expressly provided for in this Amendment, each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall continue in full force and effect on and after the effective date of this Amendment.
5. The City Manager, or her designee, shall execute, on behalf of the City, this Amendment of Restrictive Covenant for Zoning File No. C14-02-0150, as authorized by the City Council of the City of Austin. The Amendment of Restrictive Covenant shall be filed in the Official Public Records of Travis County, Texas.

EXECUTED to be effective the 30 day of May, 2003.

**OWNERS:**

Columbia/St. David's Healthcare System, L.P.  
a Texas limited partnership

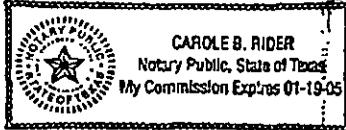
By:   
Malcolm Blisle,  
Vice President/Corporate Services

**CITY OF AUSTIN:**

By:   
LISA Y. GORDON,  
ASSISTANT CITY MANAGER,  
CITY OF AUSTIN

THE STATE OF TEXAS :  
:  
COUNTY OF TRAVIS :

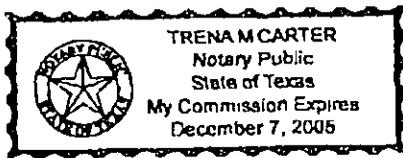
This instrument was acknowledged before me on this the 30 day of May, 2003, by Malcolm Behlke, Vice President/Corporate Services on behalf of Columbia/St. David's Healthcare System, L.P., a Texas limited partnership.



Carole B. Rider  
Notary Public, State of Texas

THE STATE OF TEXAS :  
:  
COUNTY OF TRAVIS :

This instrument was acknowledged before me on this the 13<sup>th</sup> day of June, 2003, by LISA Y. GORDON, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.



Trena M. Carter  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

City of Austin Law Department  
P.O. Box 1088  
Austin, Texas 78767-8828  
Attn: Diana Minter, Paralegal



**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

06-19-2003 04 21 PM 2003139169  
ZAVALAR \$17 00  
DANA DEBEAUVOIR , COUNTY CLERK  
TRAVIS COUNTY, TEXAS

Recorder's Memorandum: At the time of recording this instrument was found to be inadequate for the best reproduction because of illegibility, ca. lines of photocopy, discolored paper, etc. All blank lines, additions and changes were present at the time the instrument was filed and recorded.

ORDINANCE NO. 920820- I

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 3.284 ACRE TRACT OF LAND OUT OF THE ST. DAVID'S COMMUNITY HOSPITAL ADDITION, FROM "LO" LIMITED OFFICE DISTRICT AND "MF-3-" MULTIFAMILY RESIDENCE (MEDIUM DENSITY) DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 919 EAST 32ND STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "LO" Limited Office district and "MF-3" Multifamily Residence (Medium Density) district to "GR" Community Commercial district-Conditional Overlay combining district on the property described in File C14-92-0071, as follows:

3.284 acre tract of land out of the St. David's Community Hospital Addition, said 3.284 acre tract being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes,

locally known as 919 East 32nd Street, in the City of Austin, Travis County, Texas.

PART 2. That the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. Uses of the Property shall be restricted to the following conditions: (i) the range of permitted uses authorized in the "GR" Community Commercial base district as set forth in Sec. 13-2-221 of the Austin City Code shall be prohibited, except that Commercial off-street parking use shall be permitted; and (ii) the range of permitted uses authorized in the "GO" General Office base district shall be permitted on the Property.

Except as specifically restricted pursuant to this ordinance, the property may be developed and used in accordance with the regulations established for the "GR" Community Commercial base district and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

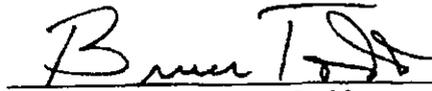
PART 4. That the requirement imposed by Section 2-2-3 of the Austin City Code of 1992 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage.

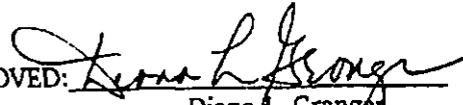
PASSED AND APPROVED:

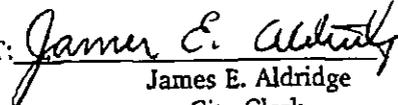
August 20, 1992

§  
§  
§  
§



Bruce Todd  
Mayor

APPROVED:   
Diana L. Grange  
City Attorney

ATTEST:   
James E. Aldridge  
City Clerk

20Aug92  
ME/lj

# METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS  
AUSTIN, TEXAS 78745  
(512) 442-3363

SURVEYS & RECORDS SINCE 1904

FIELD NOTES OF A SURVEY OF 3.284 ACRES OF LAND, BEING A PORTION OF LOT 1, ST. DAVID'S COMMUNITY HOSPITAL ADDITION, A SUBDIVISION OF A PORTION OF OUTLOT 23, DIVISION "C" OF THE GOVERNMENT TRACTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID ST. DAVID'S COMMUNITY HOSPITAL ADDITION BEING SHOWN ON A MAP OR PLAT OF RECORD IN PLAT BOOK 81, PAGES 366 AND 367, TRAVIS COUNTY PLAT RECORDS, AND BEING THAT SAME TRACT DESCRIBED IN EXHIBIT "A" AS 3.284 ACRES IN THE AMENDED AND RESTATED LEASE AGREEMENT BY AND BETWEEN ST. DAVID'S HOSPITAL AND PARK ST. DAVID PROFESSIONAL BUILDING, LTD. IN VOLUME 7365, PAGE 492, TRAVIS COUNTY DEED RECORDS, AND TRANSFERRED IN AN ASSIGNMENT OF GROUND LEASE FROM PARK ST. DAVID PROFESSIONAL BUILDING, LTD. TO ST. DAVID'S HOSPITAL IN VOLUME 10021, PAGE 648, TRAVIS COUNTY DEED RECORDS, AND BEING THAT SAME 3.284 ACRE TRACT DESCRIBED IN A MODIFICATION AND ASSUMPTION AGREEMENT BY AND BETWEEN ST. DAVID'S COMMUNITY HOSPITAL, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY AND PARK ST. DAVID PROFESSIONAL BUILDING, LTD. IN VOLUME 10087, PAGE 488, TRAVIS COUNTY DEED RECORDS, SAID 3.284 ACRE TRACT BEING A PORTION OF LOTS 5, 6 & 7 OF OUTLOT 23, DIVISION "C" IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT TRACT DESCRIBED IN A DEED FROM KATHARINE PARR HAMILTON TO ST. DAVID'S HOSPITAL IN VOLUME 2698, PAGE 444, TRAVIS COUNTY DEED RECORDS, AND BEING A PORTION OF THAT TRACT DESCRIBED IN A DEED FROM JOHANNES BOHN, ET UX TO ST. DAVID'S HOSPITAL IN VOLUME 1886, PAGE 234, TRAVIS COUNTY DEED RECORDS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM JOHN FELTER TO ST. DAVID'S HOSPITAL IN VOLUME 3986, PAGE 1322, TRAVIS COUNTY DEED RECORDS, AS SURVEYED FOR ST. DAVID'S COMMUNITY HOSPITAL BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

Beginning at an iron stake at the southwest corner of Lot 1, Gruesen . Resubdivision of a Portion of Lot 6, Outlot 23, Division "C", in the City of Austin, Travis County, Texas, as shown on a map of record in Plat Book 10, Page 77, Travis County Plat Records, and being also at an interior corner of Lot 1, St. David's Community Hospital Addition, a subdivision of a portion of Outlot 23, Division "C" of the Government Tract Adjoining the Original City of Austin, Travis County, Texas, of record in Plat Book 81, Pages 366 and 367, Travis County Plat Records, and being also a corner in the most easterly north line of that tract described in Exhibit "A" as 3.284 acres in the Amended and Restated Lease Agreement By and Between St. David's Hospital and Park St. David Professional Building, Ltd. in Volume 7365, Page 492, Travis County Deed Records, and transferred in an Assignment of Ground Lease from Park St. David Professional Building, Ltd. to St. David's Hospital in Volume 10021, Page 648, Travis County Deed Records, and a corner in the most

easterly north line of that 3.284 acre tract described in a Modification and Assumption Agreement By and Between St. David's Community Hospital, Massachusetts Mutual Life Insurance Company and Park St. David Professional Building, Ltd. in Volume 10087, Page 488, Travis County Deed Records, for a corner in the most easterly north line of the herein described tract;

(1) THENCE with the most easterly north line of said Lot 1, St. David's Community Hospital Addition, and the most easterly north line of the said 3.284 acre tract, and being also with the south line of said Lot 1, Gruesen Resubdivision, S 59° 40' E 80.02 feet to a 1/2" iron pipe found at the southeast corner of said Lot 1, Gruesen Resubdivision and the southwest corner of Lot 2 of said Gruesen Resubdivision, said iron pipe being also the southwest corner of that tract of land described in Tract Two in a deed from Milton Turner, M.D., et ux to St. David's Hospital in Volume 7337, Page 424, Travis County Deed Records;

(2) THENCE with the north line of said Lot 1, St. David's Community Hospital Addition and the most easterly north line of the 3.284 acre tract, and being also with the south line of said Lot 2, Gruesen Resubdivision and with the south line of the said St. David's Community Hospital Tract Two, S 59° 45' E 22.81 feet to a 1/2" iron pipe found;

(3) THENCE with the north line of said Lot 1, St. David's Community Hospital Addition and the most easterly north line of the 3.284 acre tract, and being also with the south line of said Lot 2, Gruesen Resubdivision and with the south line of the St. David's Community Hospital Tract Two, and with the south line of that tract of land described in Tract One in said deed to St. David's Hospital in Volume 7337, Page 424, Travis County Deed Records, S 59° 08' E 103.57 feet to a 1/2" iron pipe found at the northeast corner of said Lot 1, St. David's Community Hospital Addition and the most easterly northeast corner of the said 3.284 acre tract, said iron pipe being the northwest corner of Lot 5A of Joe Manor Trustee Subdivision, of record in Plat Book 16, Page 43, Travis County Plat Records, for the most easterly northeast corner of the herein described tract;

(4) THENCE with the east line of said Lot 1, St. David's Community Hospital Addition, and the most easterly east line of the said 3.284 acre tract, and being also the west line of said Lot 5A of the Joe Manor Trustee Subdivision, S 30° 36' W 307.47 feet to a rivet found in concrete in the north line of East 30th Street at the southeast corner of said Lot 1, St. David's Community Hospital Addition and the southeast corner of the said 3.284 acre tract, and the southwest corner of said Lot 5A of the Joe Manor Trustee Subdivision, for the southeast corner of the herein described tract;

(5) THENCE with the north line of East 30th Street and the south line of said Lot 1, St. David's Community Hospital Addition, and being also with the south line of the said 3.284 acre tract, N 59° 29' W 97.01 feet to a 60<sup>d</sup> nail found in an expansion joint in a concrete driveway;

(6) THENCE with the north line of East 30th Street and the south line of said Lot 1, St. David's Community Hospital Addition, and being also the south line of the said 3.284 acre tract, N 59° 46' W 162.18 feet to a 1/2" iron pipe found;

(7) THENCE with the north line of East 30th Street and the south line of said Lot 1, St. David's Community Hospital Addition, and being also the south line of the said 3.284 acre tract, N 55° 27' 30" W 201.36 feet to a 1/2" iron pipe found;

(8) THENCE with the curving north line of East 30th Street and the curving south line of said Lot 1, St. David's Community Hospital Addition, and being the curving south line of the said 3.284 acre tract, with a curve to the left an arc distance of 98.97 feet, said curve having a radius of 281.27 feet and a chord of which bears, N 65° 32' 30" W 98.46 feet to a 1/2" iron pipe found at point of tangency;

(9) THENCE with the north line of East 30th Street and the south line of said Lot 1, St. David's Community Hospital Addition, and being also the south line of the said 3.284 acre tract, N 75° 37' 15" W 93.28 feet to an iron stake found at the northeast intersection of East 30th Street and Red River Street at the southwest corner of the said 3.284 acre tract, for the southwest corner of the herein described tract;

(10) THENCE with the east line of Red River Street and the most westerly west line of said Lot 1, St. David's Community Hospital Addition, and being also with the most westerly west line of the said 3.284 acre tract, N 13° 19' 15" W 139.88 feet to a 1/2" iron pipe found at the most westerly corner of the said 3.284 acre tract, for the most westerly corner of the herein described tract;

(11) THENCE with a west line of the said 3.284 acre tract, N 30° 05' 20" E 80.67 feet to a rivet found in concrete at the most westerly northwest corner of the said 3.284 acre tract, for the most westerly northwest corner of the herein described tract;

(12) THENCE with the most westerly north line of the said 3.284 acre tract, N 76° 38' E 82.77 feet to a 1/2" iron pipe set for the most westerly northeast corner of the said 3.284 acre tract, for the most westerly northeast corner of the herein described tract;

(13) THENCE with an east line of the said 3.284 acre tract, S 10° 27' 30" E 121.78 feet to a 1/2" steel pin found at an interior corner of the said 3.284 acre tract, for an interior corner of the herein described tract;

(14) THENCE with a north line of the said 3.284 acre tract, S 59° 30' E 193.22 feet to a rivet found in concrete at a northeast corner of the said 3.284 acre tract, for a northeast corner of the herein described tract;

(15) THENCE with an east line of the said 3.284 acre tract,  
S 10° 00' W 24.10 feet to a rivet found in concrete at an interior corner of  
the said 3.284 acre tract, for an interior corner of the herein described  
tract;

(16) THENCE with a north line of the said 3.284 acre tract,  
S 80° 00' E 25.20 feet to a rivet found in concrete at an interior corner of  
the said 3.284 acre tract, for an interior corner of the herein described  
tract;

(17) THENCE with a west line of the said 3.284 acre tract,  
N 10° 00' E 14.68 feet to a rivet found in concrete at a northwest corner of  
the said 3.284 acre tract, for a northwest corner of the herein described  
tract;

(18) THENCE with a north line of the said 3.284 acre tract,  
S 59° 30' E 125.54 feet to a 1/2" iron pipe found at an interior corner of  
the said 3.284 acre tract, for an interior corner of the herein described  
tract;

(19) THENCE with a west line of the said 3.284 acre tract,  
N 30° 36' E 183.34 feet to a 1/2" iron pipe found at the most easterly  
northwest corner of the said 3.284 acre tract, for the most easterly  
northwest corner of the herein described tract;

(20) THENCE with the most easterly north line of the said 3.284 acre  
tract, S 59° 46' E 53.62 feet to the place of the beginning, containing  
3.284 acres of land.

Surveyed March 4, 1981. Survey Updated and Field  
Notes Prepared November 18, 1987.



METCALFE & SANDERS, INC.  
Land Surveyors

By:

A handwritten signature in cursive script that reads "George L. Sanders". The signature is written in dark ink and is positioned to the right of the word "By:".

George L. Sanders  
Registered Public Surveyor #1838

Plan R227-D  
Ref. Plans R227,  
7825, 8006-C, 8927  
FB 714, P 48  
FB 586, P 1  
FB 569, P 15  
FB 517, P 52  
4FNB7/87321.02

# Austin American-Statesman

## AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS  
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

Jean Goehring

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

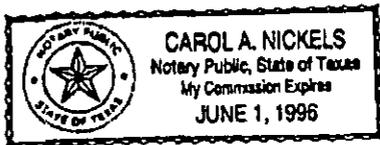
September 5<sup>th</sup> of 1992

Cost: 35.34

and that the attached is a true copy of said advertisement.

[Signature]

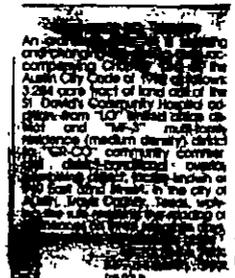
SWORN AND SUBSCRIBED TO BEFORE ME, this the 1<sup>st</sup> day of Oct, 1992.



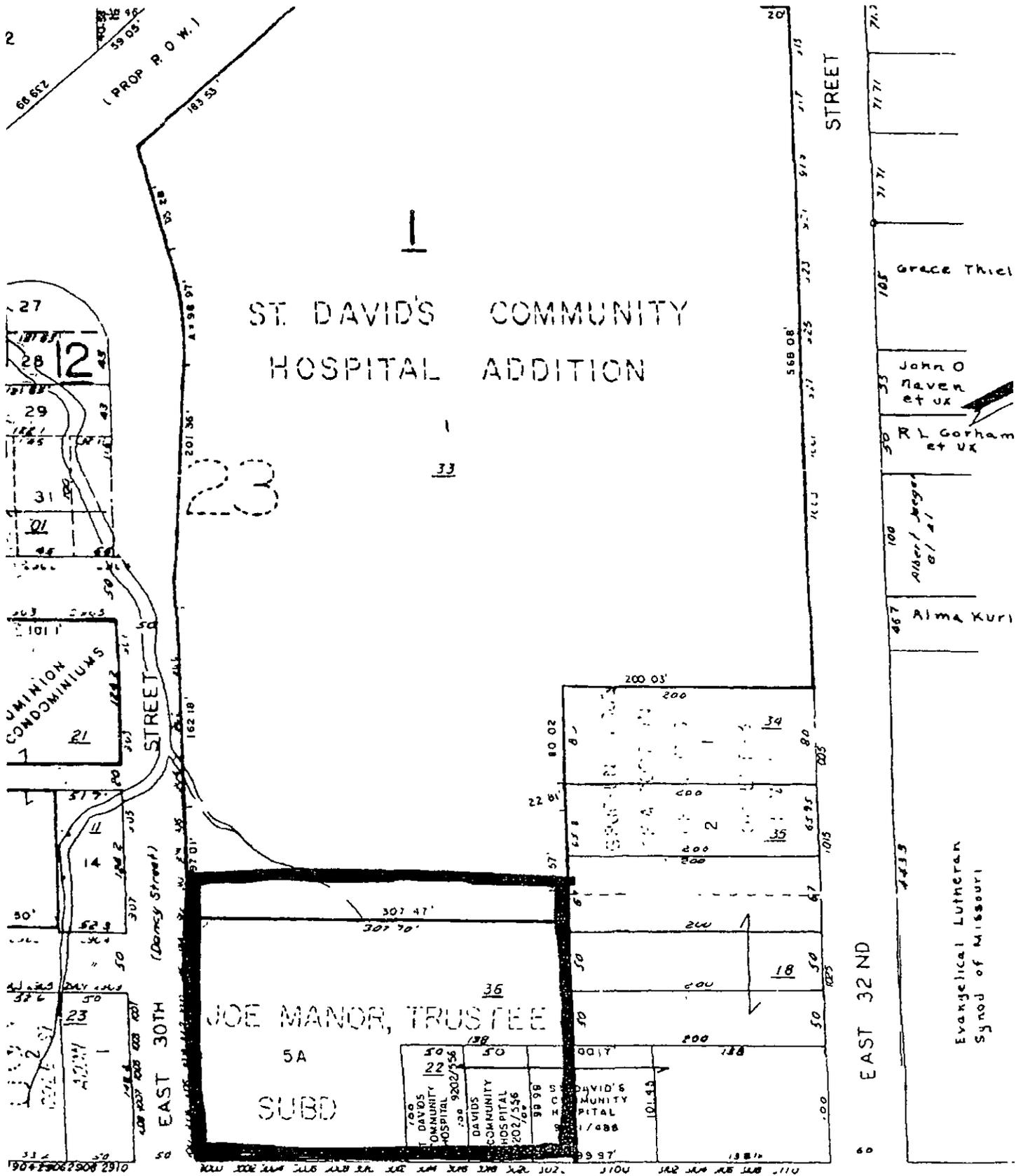
Carol A. Nickels  
Notary Public in and for  
TRAVIS COUNTY, TEXAS

Carol A. Nickels  
(Type or Print Name of Notary)

6/01/96  
(My Commission Expires:)



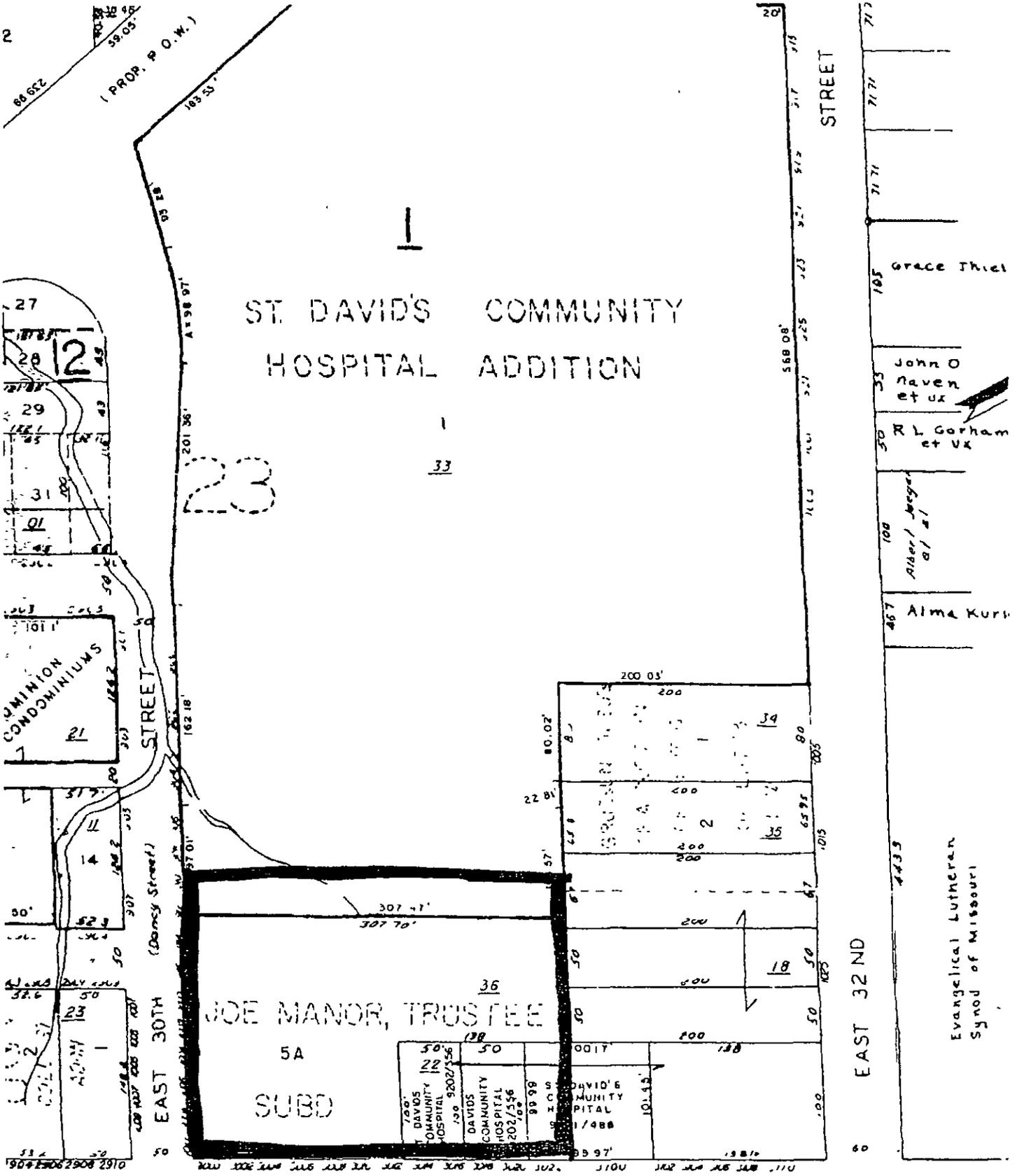




(East Ave. Cameron Rd)

HIGHWAY / INTERSTATE 35





(East Ave, Cameron Rd)

HIGHWAY / INTERSTATE 35

## **EXHIBIT "A"**

### **PERMITTED USES**

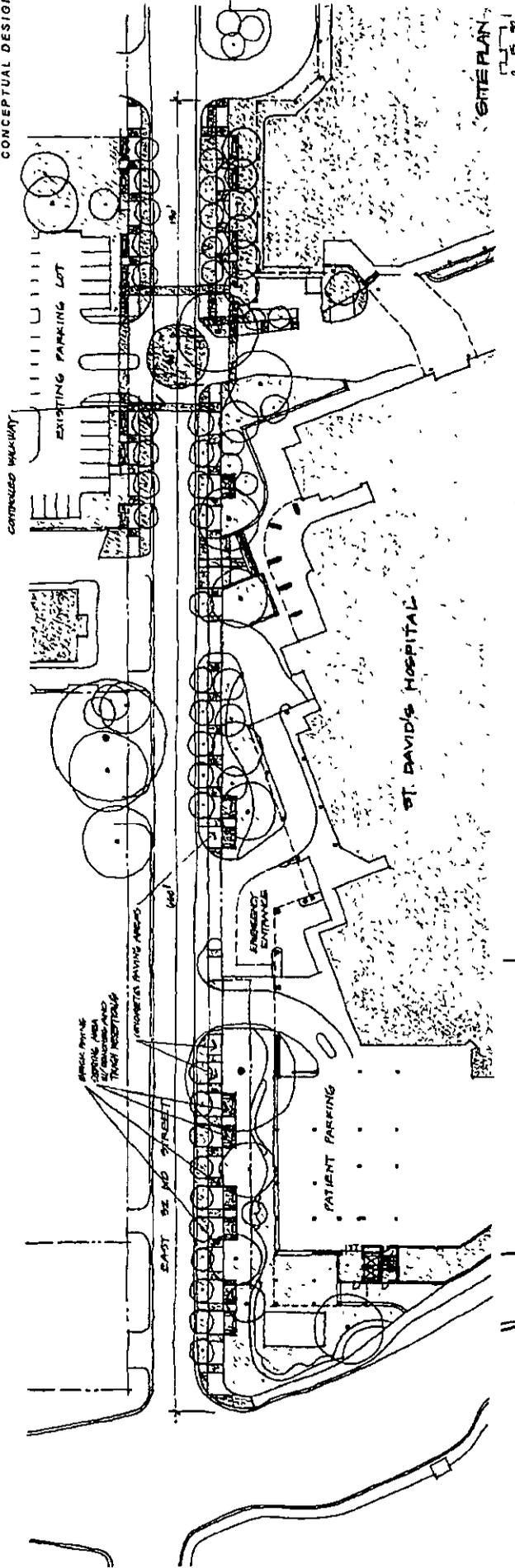
General Hospital and Medical services for the care and treatment of pre-natal, pediatric, infant, and geriatric patients, including without limitation any and all of the following:

1. **Administrative and Business Offices:** Offices for executive, management, or administrative services;
2. **Building Maintenance and Services:** Medical Support Services, including, but not limited to janitorial services, landscape maintenance, and window cleaning services;
3. **Business Support Services:** Medical equipment leasing and sales, medical equipment repair;
4. **Camp:** Indoor or outdoor activities for children including sports, arts and crafts, entertainment, recreation, educational services and incidental food services;
5. **Club or Lodge:** Meeting, recreational or social facilities used by a private or non-profit association, ie: AA, MADD,
6. **College and University Facilities:** Education and support, General Medical Teaching and Continuing Education Facilities, medical employment training and temporary employment services;
7. **Commercial Blood Plasma Center:** Facility for the donation or sale by individual donors of blood plasma and other blood products;
7. **Commercial Off Street Parking:** Commercial parking lots and garages,
8. **Community Events** Community outreach services and education;
9. **Community Recreation:** Indoor and outdoor recreational facility used by residents, patients and guests,
10. **Convalescent Services:** Skilled nursing services and long term acute care hospital;
11. **Counseling Services.** Daytime counseling for neglected or abused children;
12. **Daycare Services:** Child care facilities;
13. **Employee Recreation:** Indoor or outdoor recreational facility used by employees located on the property;

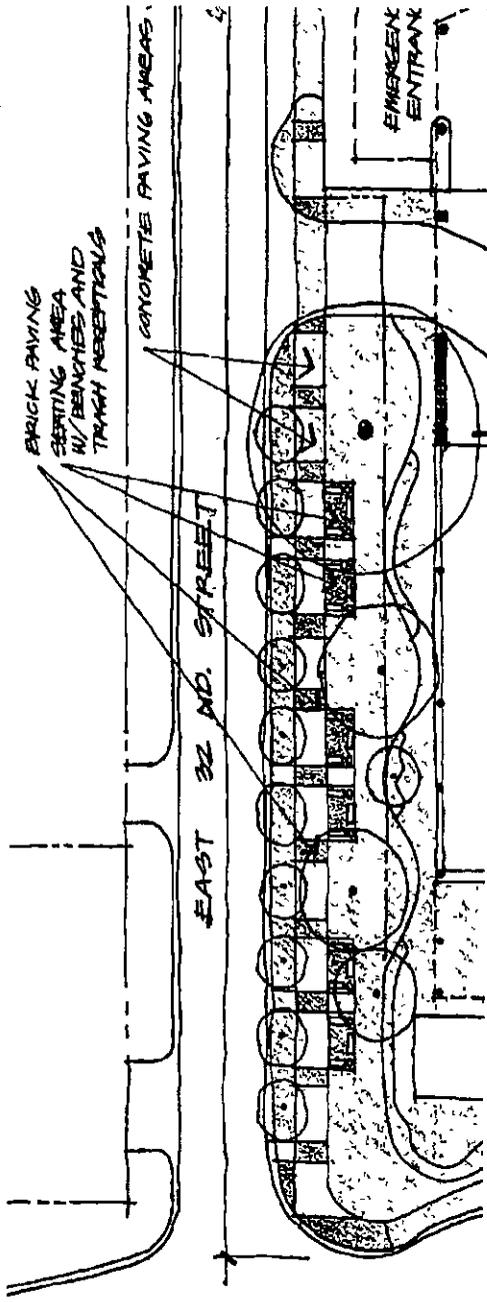
14. **Food Sales:** Retail sale of food including delicatessens, retail bakeries and candy sales;
15. **General Retail Sales:** Sale of commonly used goods including pharmaceutical sales and services;
16. **Guidance Services** Counseling, guidance, recuperative or similar services to persons requiring rehabilitation services as a result of mental illness, drug or alcohol abuse or similar condition;
17. **Heliport :** A single structure equipped to handle the take-off and landing of a helicopter.
18. **Hospital Services:** In-patient and out-patient hospital services and non-elective surgical services, Pediatric and adult in-patient and out-patient rehabilitation services, emergency treatment, diagnostic services, training and administration;
19. **Hotel-Motel:** Rooms for temporary lodging,
20. **Indoor Entertainment:** Conference and meeting facilities;
21. **Laundry Services:** Site for the provision of laundering including bulk laundry and linen supply,
22. **Medical Offices:** Medical treatment and diagnosis services, relating to oncological services, including, but not limited to: a) Radiation Therapy, b) Chemotherapy, c) Homeopathic Treatment, d) Holistic Treatment, e) Reproductive Services, and f) any such Experimental Therapies as may apply;
23. **Off-Site Accessory Parking:** Provision of parking located on a different site from the principal use;
24. **Personal Improvement Services:** Informational, instructional or personal improvement including, but not limited to health and physical fitness;
25. **Personal Services:** Periodically needed personal services including, but not limited to beauty or barber shops and drycleaning services;
26. **Professional Office:** Professional services including, but not limited to accounting offices,
27. **Recreational Equipment Maintenance and Storage:** Maintenance, service and storage of sports equipment;
28. **Religious Assembly:** Religious worship or education;

29. **Research Services.** Diagnostic services and studies, such as, but not limited to sleep studies, diabetes studies, scientific research and scientific support services;
30. **Research Testing Services:** Research activity permitted only with a Planned Utility District;
31. **Research Warehousing Services:** Storage of materials or equipment related to research services;
32. **Residential Treatment:** Pediatric and Adult in-patient and out-patient psychiatric and psychological services, transitional services, residential facilities in support of medical hospital services, i.e., Ronald McDonald House and housing for medical students and faculty;
33. **Restaurant:** Preparation and sale of food and beverages for on premise consumption;
34. **Safety Services:** Pediatric and Adult emergency medical services, treatment and conveyances including, but not limited to: a) heliport, b) ambulatory, and/or c) vehicular;
35. **Telecommunication Tower:** Structures built to support antenna for receiving or transmitting electronic data or telecommunications.

CONCEPTUAL DESIGN



SITE PLAN



**Great Streetscape**  
**St David's Medical Center**

CITY OF AUSTIN, TEXAS

HealthCare Facilities  
 Development Corporation

**HCFD**

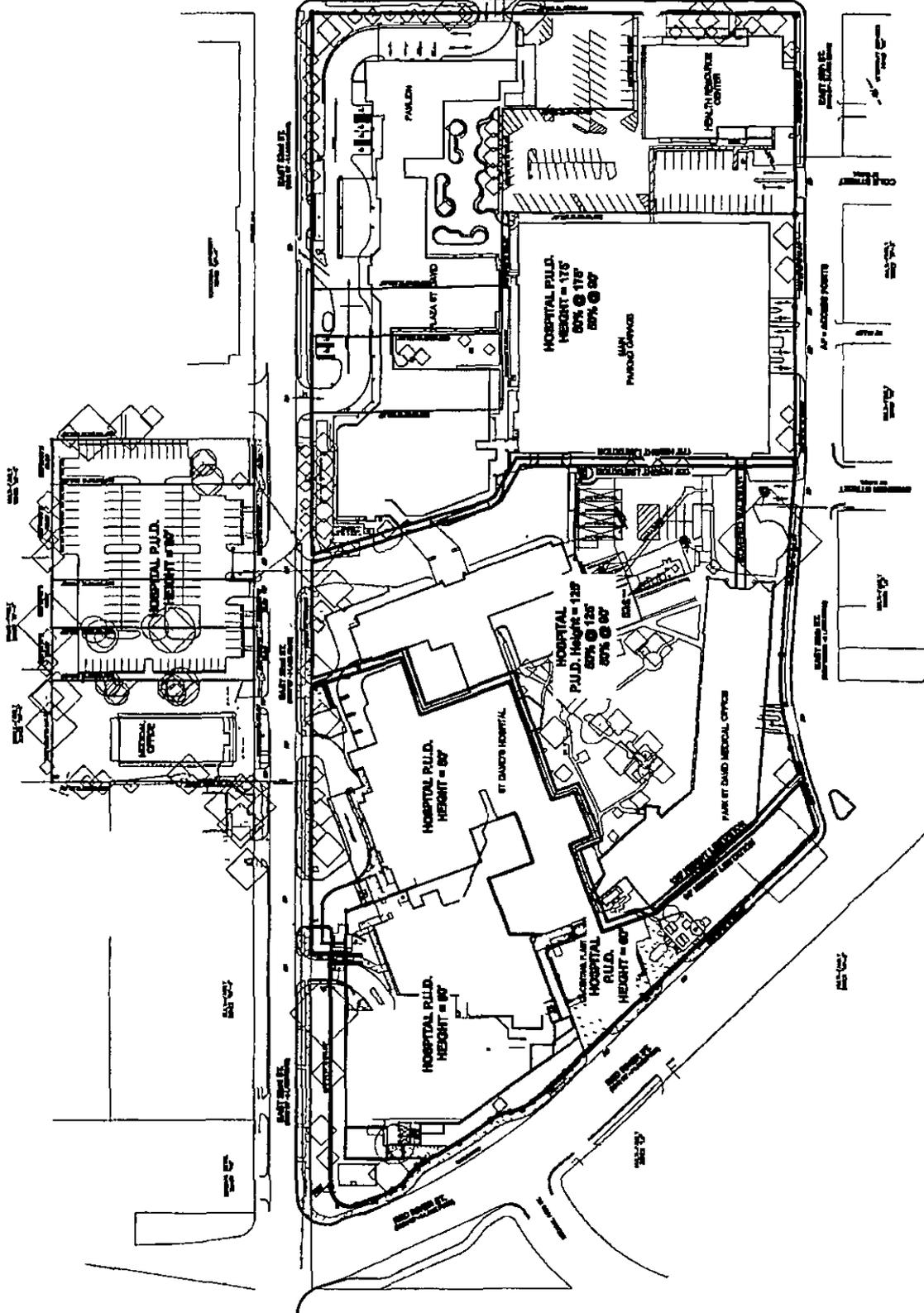


11.2.2006

CONCEPTUAL DESIGN

# ST. DAVID'S MEDICAL CENTER

PARKING GARAGE AND MEDICAL OFFICE BUILDING



## P.U.D. GENERAL DEVELOPMENT PLAN

Greiner, Simmons & Cowan, Inc  
Austin



Planning  
Architecture  
Interior Architecture

MARCH 09 2005



MINTER, JOSEPH & THORNHILL, P.C

811 Barton Springs Rd  
Suite 800  
Austin, Texas 78704-1196  
phone 512 478 1075  
fax 512 478 5838  
www.mjtpc.com

March 28, 2006

John Joseph Jr  
[jjosephjr@mjtpc.com](mailto:jjosephjr@mjtpc.com)  
Extension 114  
(Not licensed to practice law)

City of Austin  
Joe Pantaloni, Director  
Watershed Protection and Development Review Dept  
505 Barton Springs Rd  
Austin, Texas 78704

Re St David's Medical Center Planned Unit Development; Updated PUD Purpose Statement

Dear Joe.

The purpose of this correspondence is to provide a statement of the purpose for this Planned Unit Development "PUD", the proposed conceptual land use plan and site development regulations for the St. David's Medical Center PUD land use plan and briefly discuss why the proposed PUD meets the applicable criteria set forth in the City of Austin Land Development Code "LDC" and should be approved by the City of Austin. As you are aware the St. David's Hospital, and I will refer to it as the "Hospital" throughout, has been operated at its present location since 1955.

St. David's Medical Center is wholly owned by HTI-ADC Venture (composed of HCA Inc. and St. David's Healthcare System, Inc. as venture partners) the same venture partners that operate four hospitals including, Round Rock Medical Center, South Austin Hospital and St. David's North Austin Medical Center

The Hospital was originally formed by a group of local surgeons in 1924 as Physicians and Surgeons Hospital near 17<sup>th</sup> and Rio Grande Streets. The Hospital was soon turned over to St. David's Episcopal Church which in turn formed a non-profit corporation, St. David's Hospital, with a community based Board of Trustees to oversee the operation. At that point, the Hospital was independent of the church in terms of financial support and governance except that the Rector of the church was an ex-officio member of the Board of Trustees.

The Hospital outgrew the 17<sup>th</sup> Street location and in 1955 was relocated to its present location at 919 East 32<sup>nd</sup> Street as a 104-bed facility with Austin's first recovery room. More

than 12,000 citizens came to the open house which was described as the largest in Austin's history at the time.

The existing facility consists of 3 separate hospitals, St David's Hospital (acute care), St David's Rehabilitation Center and St. David's Pavilion (gero-psychiatric) The acute care hospital consists of 315,500 s.f. with a permitted expansion in progress of 79,000 s.f. of hospital and 28,000 s.f. of parking. The entire campus is approximately 15 acres and contains nearly 700,000 s.f. of building floor area and over 500,000 s.f. of garage area. It has won awards for design of services in a compact, convenient and efficient space.

Since 1955 the Hospital has expanded many times to respond to public demand for services and to provide the latest and best in medical treatment. It is with this long and honored history of the provision of medical care to the people of the Austin community that St. David's Healthcare Partnership makes this application for PUD zoning to facilitate the predictability and flexibility that is essential to meet the medical needs of City of Austin, Travis County and the other Cities and Counties in the ( area).

St. David's values the relationship it has developed with community leaders and neighborhood associations, specifically the Hancock Neighborhood Association and the Eastwoods Neighborhood Association. St David's is committed to working closely with these two associations during this PUD process to ensure that the needs and concerns of the community are carefully considered and incorporated in St. David's plans for the future, to the extent possible. During this process, St. David's is committed to attend/participate in regularly scheduled meetings of these neighborhood associations, to ensure that the community is aware of and involved in the PUD planning process.

#### I Characteristics of the Proposed PUD.

The Hospital proposes that the PUD have the following site development regulations and confer the following community benefits.

##### A. Site Development Regulations.

1. Development occurring under the PUD would comply with the current LDC regulations and those regulations as set forth in the approved phased site plan # SPC-02-0028C and as modified by the PUD ordinance
2. Future expansion may result in an increase in impervious cover and/or on-site detention.
3. Water quality requirements would be met through the payment of fees in lieu of on-site water quality facilities, or other environmental mitigation methods approved by the City and adopted as a part of the PUD ordinance.

4. Permitted uses sought under the PUD are delineated in the attached Exhibit "A"

B. Community Benefits.

1. Community Health.

- i) St. David's facilities provide charity health care services in the amount of \$17.2 million dollars in 2002. St. David's is an integral part of the healthcare partnership in this region of Texas and takes that responsibility very seriously. The PUD expansion will allow St. David's to address ever increasing demand for charitable healthcare services in the region
- ii) Admission policies prevent the accumulation of information based on race and ethnicity. St. David's in 2002 provided virtually the same demographic mix of patient as Brackenridge Hospital.
- iii) Women Services
  - a) In recognition of the unique nature of women's health issues, to provide for women's health services in a centrally located and convenient venue and to address the ever expanding demand for women's health services issues, the Hospital proposes the creation of a Women's Health Center contained within a 3<sup>rd</sup> floor expansion.
  - b) This PUD may allow for an expansion of neo-natal intensive care (NICU) and an expansion of rehabilitation facilities.
- iv) Specialty Services - St. David's provides a specialized arthritis therapy pool which is open and available to the public at no charge, in cooperation with the Austin Arthritis Association. St. David's also provides the only hyperbaric chamber, better known as a decompression chamber for the treatment of nitrogen narcosis (the bends) and carbon monoxide poisoning in this five county service area

2. Non-Health Community Benefits.

- i) Public meeting places
  - a) The Hospital has always made meeting facilities at the Hospital available to the general public. New

expansions will include additional meeting facilities and such will be made available to the public.

- b) Public meeting places are provided free of charge to the public and as such obviate the necessity for the development of such facilities within the community.
  - ii) Provide inner-city services, helps prevent sprawl and promotes a compact city through the provision of new and special medical and health services, including rehabilitation, women's and neo-natal facilities
  - iii) In as much as the facilities are not tax exempt the additions will add approximately \$1,000,000 to the ad valorem tax rolls for the City, County and Austin ISD
  - iv) Inner-city employment near inner-city residents
  - v) Increase in Jobs and Payroll
3. Community Education St. David's facilities provide \$80,000 per year for nursing faculty at Austin Community College for Nurse Education as well as scholarship funding. St. David's also provides \$40,000 per year to the Capital Area Training Fund St David's does and will continue to provide practice settings for nursing students at the University of Texas and the Austin Community College Schools of Nursing.
4. Community Aesthetics. This location has become known in the community and recognized by generations of Austin and Central Texas residents as a medical/health service center, much the same as Brackenridge Hospital and Seton Medical Center. Doctors, nurses, emergency technicians, police, fire and other emergency medical practitioners have come to rely on the existence of this hospital facility at this location. Please see photographs attached.

II The Proposed PUD Conforms to the Purposes of Sec 25-2-174 of the Land Development Code of the City of Austin.

A. The Proposed PUD Provides "Greater Design Flexibility for Development within the PUD"

- I. The existing facility is located on approximately 13 acres of property. There is very little, if any, area for expansion of health services. Height limitations under "CS" Commercial Services of 60 feet would further restrict expansion. Existing facilities are less than 90 feet and the proposed Women's Services and Rehabilitation facilities will exceed the current zoning height limitation. PUD zoning would allow the establishment of heights

scaled and designed to meet the expansion demands for health services and greater height, ranging from 175 feet adjacent to IH 35 to 80 feet as the facilities near neighborhoods, and would allow for the expansion without the necessity for the removal of additional impervious cover and removal of additional significant trees. Under current circumstances a lateral expansion is economically infeasible.

2. The PUD would seek the combined use of parcels located adjacent but across 32<sup>nd</sup> street from the Hospital facilities through the use of air-space corridors, minimizing pedestrian traffic and the interaction between pedestrians and vehicles.
3. Combined Hospital/Medical and commercial uses supporting Hospital and Medical services would reduce the commercial development pressure on neighboring properties now committed to neighborhood residential and retail services.
4. The PUD zoning would allow St. David's Hospital to address the ever changing needs of the community indefinitely at the current location. The location of this Hospital facility in close proximity to Brackenridge Hospital and the Childrens Hospital of Austin allows for the coordination of the provision of hospital services. St. David's Emergency Department, (ED), is the primary back-up to Brackenridge ED. That benefit would be lost if the facility was forced to relocate for lack of ability to expand.

B. The Proposed PUD results in development superior to conventional development that would be permitted under current zoning and subdivision regulations; proposed impervious cover under the PUD will be less than what is currently permitted on the site.

1. Maximization of available resources
2. Homogeneous multi-use medical facility
3. Combination of free-standing facilities will reduce the amount of impervious cover over conventional development
4. Contributions to storm water facilities
5. Contributions to City Park facilities

C. The Proposed PUD Enhances Preservation of the Natural Resources

1. Contributions to the Urban Reforestation Fund.
2. Allowing employees to work in close proximity to patient and medical services.
3. Contributions to off-site water quality facilities

D. The Proposed PUD Encourages High Quality Development and Innovative Design.

Because of the scarcity of available area for expansion of healthcare services that do not dictate location on identical floor levels, such as patient rooms, rehabilitation, medical offices, laboratories, and other like facilities, coupled with conservation of existing open space and trees; requires innovative and creative design flexibility, such as the ability to expand vertically wherever possible.

E. The Proposed PUD Ensures Adequate Public Facilities and Services.

Failure to expand at the current location would virtually ensure the lack of adequate public health care facilities not only for the downtown area of the City but for the five (5) county area served by St. David's and the other medical providers in the City. As mentioned before the PUD would at the same time allow for the development of facility and community parking, traffic controls, community health educational, recreational and community meeting facilities as well as other facilities serving not only the hospital but the community as a whole

For the above mentioned reasons, the applicant respectfully requests a PUD zoning base district for the subject site and believes that aforementioned statement of purpose justifies the PUD land use designation. If you should have any questions regarding this matter please do not hesitate to call.

Very truly yours,



John Joseph Jr.

cc: St. David's Healthcare Partnership  
Attention: Malcolm Belisle  
Vice President Corporate Services

**CLARK, THOMAS & WINTERS**

A PROFESSIONAL CORPORATION

TELEPHONE (512) 472-8800

POST OFFICE BOX 1148  
AUSTIN, TEXAS 78767

FAX (512) 474-1129

300 WEST 6<sup>TH</sup> STREET, 15<sup>TH</sup> FLOOR  
AUSTIN, TEXAS 78701

September 12, 2006

City of Austin  
Joe Pantalioni, Director  
Watershed Protection and Development Review Dept.  
505 Barton Springs Rd.  
Austin, Texas 78704

Re: St. David's Medical Center Planned Unit Development; Updated PUD Purpose Statement

Dear Joe

The purpose of this correspondence is to provide a statement of the purpose for this Planned Unit Development "PUD", the proposed conceptual land use plan and site development regulations for the St. David's Medical Center PUD, and briefly discuss why the proposed PUD meets the applicable criteria set forth in the City of Austin Land Development Code "LDC" and should be approved by the City of Austin. As you are aware the St. David's Hospital, referred as the "Hospital" throughout, has been operating at its present location since 1955.

St. David's Medical Center is wholly owned by Columbia/St. David's Healthcare Systems, LP (composed of HCA Inc. and St. David's Healthcare System, Inc. as venture partners) the same venture partners that operate four hospitals including, Round Rock Medical Center, South Austin Hospital and St. David's North Austin Medical Center.

The Hospital was originally formed by a group of local surgeons in 1924 as Physicians and Surgeons Hospital near 17<sup>th</sup> and Rio Grande Streets. The Hospital was soon turned over to St. David's Episcopal Church which in turn formed a non-profit corporation, St. David's Hospital, with a community based Board of Trustees to oversee the operation. At that point, the Hospital was independent of the church in terms of financial support and governance except that the Rector of the church was an ex-officio member of the Board of Trustees.

The Hospital outgrew the 17<sup>th</sup> Street location and in 1955 was relocated to its present location at 919 East 32<sup>nd</sup> Street as a 104-bed facility with Austin's first recovery room. More than 12,000 citizens came to the open house which was described as the largest in Austin's history at the time.

**CLARK, THOMAS & WINTERS**  
A PROFESSIONAL CORPORATION

September 12, 2006

The existing facility consists of 3 separate hospitals, St. David's Hospital (acute care), St. David's Rehabilitation Center and St. David's Pavilion (gero-psychiatric). The acute care hospital consists of 315,500 s.f. with a permitted expansion in progress of 79,000 s.f. of hospital and 28,000 s.f. of parking. The entire campus is approximately 15 acres and contains nearly 700,000 s.f. of building floor area and over 500,000 s.f. of garage area. It has won awards for design of services in a compact, convenient and efficient space.

Since 1955 the Hospital has expanded many times to respond to public demand for services and to provide the latest and best in medical treatment. It is with this long and honored history of the provision of medical care to the people of the Austin community that St. David's Healthcare Partnership makes this application for PUD zoning to facilitate the predictability and flexibility that is essential to meet the medical needs of City of Austin, Travis County and the other Cities and Counties in the area.

St. David's values the relationship it has developed with community leaders and neighborhood associations, specifically the Hancock Neighborhood Association and the Eastwoods Neighborhood Association. St. David's is committed to working closely with these two associations during this PUD process to ensure that the needs and concerns of the community are carefully considered and incorporated in St. David's plans for the future, to the extent possible. During this process, St. David's is committed to attend/participate in regularly scheduled meetings of these neighborhood associations, to ensure that the community is aware of and involved in the PUD planning process.

I. Characteristics of the Proposed PUD.

The Hospital proposes that the PUD have the following site development regulations and confer the following community benefits.

A. Site Development Regulations.

1. Development occurring under the PUD would comply with the current LDC regulations and those regulations as set forth in the approved phased site plan # SPC-02-0028C and as modified by the PUD ordinance.
2. Future expansion may result in an increase in impervious cover and/or on-site detention

**CLARK, THOMAS & WINTERS**  
A PROFESSIONAL CORPORATION

September 12, 2006

- 3 Water quality requirements would be met through the payment of fees in lieu of on-site water quality facilities, or other environmental mitigation methods approved by the City and adopted as a part of the PUD ordinance.
4. Base Zoning District = General Commercial Services "CS"
5. Height = Central Business District "CBD"
- 6 Permitted uses sought under the PUD are delineated in the attached Exhibit "A".

B. Community Benefits.

1. Community Health.

- i) St. David's facilities provided charity health care services in the amount of \$17.2 million dollars in 2002. St. David's is an integral part of the healthcare partnership in this region of Texas and takes that responsibility very seriously. The PUD expansion will allow St. David's to address ever increasing demands for charitable healthcare services in the region
- ii) Admission policies prevent the accumulation of information based on race and ethnicity. St David's in 2002 provided virtually the same demographic mix of patients as Brackenridge Hospital.
- iii) Women Services
  - a) In recognition of the unique nature of women's health issues, to provide for women's health services in a centrally located and convenient venue and to address the ever expanding demand for women's health services issues, the Hospital proposes the creation of a Women's Health Center contained within a 3<sup>rd</sup> floor expansion.

**CLARK, THOMAS & WINTERS**  
A PROFESSIONAL CORPORATION

September 12, 2006

- b) This PUD may allow for an expansion of neo-natal intensive care (NICU) and an expansion of rehabilitation facilities.
- iv) Specialty Services - St. David's provides a specialized arthritis therapy pool which is open and available to the public at no charge, in cooperation with the Austin Arthritis Association. St. David's also provides the only hyperbaric chamber, better know as a decompression chamber for the treatment of nitrogen narcosis (the bends) and carbon monoxide poisoning in this five county service area.

2. Non-Health Community Benefits.

- i) Public meeting places
  - a) The Hospital has always made meeting facilities at the Hospital available to the general public. New expansions will include additional meeting facilities and such will be made available to the public.
  - b) Public meeting places are provided free of charge to the public and as such obviate the necessity for the development of such facilities within the community.
- ii) Provide inner-city services, helps prevent sprawl and promotes a compact city through the provision of new and special medical and health services, including rehabilitation, women's and neo-natal facilities.
- iii) In as much as the facilities are not tax exempt the additions will add approximately \$1,000,000 to the ad valorem tax rolls for the City, County and Austin ISD
- iv) Inner-city employment near inner-city residents
- v) Increase in Jobs and Payroll

**CLARK, THOMAS & WINTERS**  
A PROFESSIONAL CORPORATION

September 12, 2006

3. Community Education St David's facilities provide \$80,000 per year for nursing faculty at Austin Community College for Nurse Education as well as scholarship funding. St. David's also provides \$40,000 per year to the Capital Area Training Fund. St. David's does and will continue to provide practice settings for nursing students at the University of Texas and the Austin Community College Schools of Nursing.
4. Community Aesthetics This location has become known in the community and recognized by generations of Austin and Central Texas residents as a medical/health service center, much the same as Brackenridge Hospital and Seton Medical Center. Doctors, nurses, emergency technicians, police, fire and other emergency medical practitioners have come to rely on the existence of this hospital facility at this location. Please see photographs attached

II. The Proposed PUD Conforms to the Purposes of Sec. 25-2-174 of the Land Development Code of the City of Austin.

- A. The Proposed PUD Provides "Greater Design Flexibility for Development within the PUD"
  1. The existing facility is located on approximately 13 acres of property. There is very little, if any, area for expansion of health services. Height limitations under "CS" Commercial Services of 60 feet would further restrict expansion. Existing facilities are less than 90 feet and the proposed Women's Services and Rehabilitation facilities will exceed the current zoning height limitation. PUD zoning would allow the establishment of heights scaled and designed to meet the expansion demands for health services and greater height, ranging from 175 feet adjacent to IH 35 to 90 feet as the facilities near neighborhoods, and would allow for the expansion without the necessity for the removal of additional impervious cover and significant removal of additional trees. Under current circumstances a lateral expansion is economically infeasible
  2. The PUD would seek the combined use of parcels located adjacent to the Hospital but across 32<sup>nd</sup> street through the use of air-space

**CLARK, THOMAS & WINTERS**  
A PROFESSIONAL CORPORATION

September 12, 2006

corridors, minimizing pedestrian traffic and the interaction between pedestrians and vehicles.

3. Combined Hospital/Medical and commercial uses supporting Hospital and Medical services would reduce the commercial development pressure on neighboring properties now committed to neighborhood residential and retail services.
4. The PUD zoning would allow St. David's Hospital to address the ever changing needs of the community indefinitely at the current location. The location of this Hospital facility in close proximity to Brackenridge Hospital and the Children's Hospital of Austin allows for the coordination and the provision of hospital services. St. David's Emergency Department, (ED), is the primary back-up to Brackenridge ED; that benefit would be lost if the facility was forced to relocate for lack of ability to expand.

B. The Proposed PUD results in development superior to conventional development that would be permitted under current zoning and subdivision regulations; proposed impervious cover under the PUD will be less than what is currently permitted on the site.

1. 2% less impervious cover than what is currently allowed
2. Utilization of Grow Green guidelines for landscaping if possible
3. Utilization of an Integrated Pest Management (IPM) program
4. Utilization of Green Builder standards for commercial development
5. Tree mitigation at a higher than standard rate within the Hancock and Eastwood Neighborhood
6. Maximization of available resources
7. Homogeneous multi-use medical facility
8. Combination of free-standing facilities will reduce the amount of impervious cover over conventional development

September 12, 2006  
Page 7

9. Contributions to storm water facilities
10. Contributions to City Park facilities

C. The Proposed PUD Enhances Preservation of the Natural Resources.

1. Contributions to the Urban Reforestation Fund.
2. Allowing employees to work in close proximity to patient and medical services.
3. Contributions to off-site water quality facilities.

D. The Proposed PUD Encourages High Quality Development and Innovative Design.

The scarcity of area available for expansion of healthcare services that do not dictate location on identical floor levels, such as, patient rooms, rehabilitation, medical offices, laboratories, and other like facilities, coupled with conservation of existing open space and trees, requires innovative and creative design flexibility, such as the ability to expand vertically wherever possible.

E. The Proposed PUD Ensures Adequate Public Facilities and Services

Failure to expand at the current location would virtually ensure the lack of adequate public health care facilities not only for the downtown area of the City but for the five (5) county area served by St. David's and the other medical providers in the City. As mentioned before the PUD would at the same time allow for the development of facility and community parking, traffic controls, community health, educational, recreational and community meeting facilities as well as other facilities serving not only the hospital but the community as a whole.

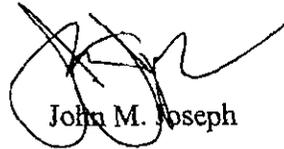
**CLARK, THOMAS & WINTERS**  
A PROFESSIONAL CORPORATION

September 12, 2006

Page 8

For the above mentioned reasons, the applicant respectfully requests a PUD zoning base district for the subject site and believes that the aforementioned statement of purpose justifies the PUD land use designation. If you should have any questions regarding this matter please do not hesitate to call

Very truly yours,



John M. Joseph

cc: St. David's Healthcare Partnership  
Attention: Malcolm Belisle  
Vice President Corporate Services

**CLARK, THOMAS & WINTERS**

A PROFESSIONAL CORPORATION

TELEPHONE (512) 472-8800

POST OFFICE BOX 1148  
AUSTIN, TEXAS 78767

FAX (512) 474-1129

300 WEST 6<sup>TH</sup> STREET, 15<sup>TH</sup> FLOOR  
AUSTIN TEXAS 78701

September 12, 2006

Mr. Jorge Rousselin  
City of Austin  
505 Barton Springs, 5<sup>th</sup> Floor  
Austin, TX 78704

RE: St. David's Medical Center Planned Unit Development; C814-06-0068

Please consider this the formal response of the Owner/Applicant to the comments submitted by you and the Watershed Protection Development Review (WPDR) staff assigned to this case

I will respond to each of the Reviewer's comments in the order in which they appear in the Master Review Report dated April 30, 2006.

**Drainage Construction –**

DC-1 *Agree*

DC-2 *Agree*

**Industrial Waste –**

IW-1 *No Comment*

**Transportation –**

TR-1 *John Hickman has responded to all of the traffic comments*

**Electric –**

EL-1 *No Comment*

EL-2 *No Comment*

**Site Plan –**

SPI a *See Land Use Plan*  
b *See Land Use Plan*

September 12, 2006

Page 2

- c *See Land Use Plan*
- d *See Land Use Plan*
- e *See Land Use Plan*
- f *See Land Use Plan*
- g *See Attached Exhibit "A"*
- h *No Comment*

SP-2 *The proposed PUD has 10% open space. The PUD does not propose to reduce the amount of open space.*

*[Sec 25-2-411(K)(2)] Not less than 10 percent of a tract must be open space if, excluding the tract, at least 10 percent of the PUD district is open space.*

SP-3 *Schematic drawings are attached that illustrate the height, bulk and location of the buildings.*

SP-4 *Please See Attached Variance List*

SP-5 *Please See Attached Variance List*

SP-6 *Heliport has been added as a Use on Exhibit "A"*

SP-7 *To our knowledge SPC-02-0028C will not be revised*

SP-8 *This site is within the Hancock Neighborhood Plan and does not require the future land use map to be revised.*

SP-9 *No Comment*

**Water Quality –**

WQ-1 Note 1 on Sheet 1 of 2 has been replaced with:

*"In an Urban Watershed water quality controls are required in accordance with the Environmental Criteria Manual; and new development must provide for removal of floating debris from stormwater runoff as per LDC 25-8-211 "*

WQ-2 *No Comment*

WQ-3 *Greg Griffin is meeting with Forrest Nikorak to discuss.*

September 12, 2006

Page 3

**Environmental –**

EV-1 *The Hospital will offer the following:*

- \* *Utilization of Grow Green guidelines for landscaping*
- \* *Utilization of an IPM program*
- \* *Tree mitigation at higher than standard rate within the Hancock and Eastwood Neighborhoods*

**Subdivision –**

SR-1 *No Comment*

**WWW –**

WW-1 *These issues will be addressed at Site Plan.*

**Zoning/Land Use –**

ZN-1 *Justification for the PUD is included in the PUD Purpose Statement The following is a list of items that the PUD will offer that are superior to current land development code requirements:*

- \* *2% less impervious cover than what is currently allowed*
- \* *Implementation of Integrated Pest Management (IPM)*
- \* *Utilize Green Builder standards for commercial development*
- \* *Utilization of Grow Green guidelines for landscaping if possible*
- \* *Tree mitigation at a higher than standard rate within the Hancock and Eastwood Neighborhoods*

ZN-2 *Base Zoning District = General Commercial Services "CS"*

*Minimum Setbacks = Please see Land Use Plan*

*Minimum lot size = 5750 sq. ft.*

*Minimum lot width = 50 ft.*

*Maximum building coverage = 90%*

*Maximum impervious cover = 90%*

*Units per acre = N/A*

*Maximum FAR = Main Campus = 2.15:1*

*North 32<sup>nd</sup> = 0.80:1*

September 12, 2006

Page 4

ZN-3 *Please See Attached Exhibit "A"*

ZN-4 *Please See Attached Exhibit "A"*

ZN-5 *Please refer to the PUD Purpose Statement and the Land Use Plan. All development regulations will be the same for each phase/tract*

ZN-6 *St. David's is not currently using Green Builder Standards at their site The Applicant/Owner proposes to use the following standards.*

- \* *Grow Green Guidelines for landscaping if possible*
- \* *Integrated Pest Management*
- \* *Tree mitigation at a higher than standard rate*

*The Applicant/Owner will prohibit the use of coal tar sealants within the proposed PUD.*

ZN-7 *Please See Attached Variance List.*

ZN-8 *The maximum FAR for each structure will be determined at Site Plan. The FAR for Main Campus will not exceed 2 15 1 and the FAR for North 32<sup>nd</sup> will not exceed 0 80:1.*

ZN-9 *Please see Land Use Plan*

ZN-10 *There are 16 driveway cuts on the proposed Land Use Plan.*

ZN-11 *Please See ZN-8*

ZN-12 *Please See ZN-8*

ZN-13 *Please See Land Use Plan*

September 12, 2006  
Page 5

*ZN-14 The proposed PUD will have a 2% reduction in allowable impervious cover*

Please let me know if you should have any questions.

Sincerely,



John M. Joseph

### PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**RECEIVED**

Case Number: C814-06-0068

Contact: Jorge Roussehn, (512) 974-2975 AUG 04 2006

Public Hearing:

August 8, 2006 Planning Commission Neighborhood Planning & Zoning

I am in favor  
 object

ELIZABETH ANDERSON

Your Name (please print)

2908N. IH 35, 910 E. 32ND ST. #202

Your address(es) affected by this application



Signature

8/1/06

Date

Comments: I LIVE ON ONE SIDE OF ST. DAVID'S AND WORK ON THE OTHER AND I FEEL THAT RAISING THE HEIGHT LIMIT FOR ST. DAVID'S PUTS BOTH MY HOME AND MY FAMILY'S BUSINESS, WHICH ARE BOTH UNDER 60' TALL, IN JEOPARDY. FURTHERMORE, HEAVY CONSTRUCTION ON THE ST. DAVID'S PROPERTY WILL NEGATIVELY AFFECT BUSINESS AT AUSTIN VETERINARY HOSPITAL, MY WORKPLACE + FAMILY'S BUSINESS, BY PREVENTING PEDESTRIAN ACCESS TO OUR BUILDING (SEE ATTACHMENT)

If you use this form to comment, it may be returned to

City of Austin

Neighborhood Planning and Zoning Department

Jorge Roussehn

P. O. Box 1088

Austin, TX 78767-8810

~~and~~ AND BY STARTLING OUR PATIENTS WITH LOUD NOISES. FINALLY, THE PROPOSED CONSTRUCTION ON THE SITE OF THE HEALTH RESOURCE CENTER (SE CORNER OF THE ST. DAVID'S BLOCK) IS JUST ANOTHER SET OF OFFICES - ST. DAVID'S ALREADY HAS TWO PROFESSIONAL BUILDINGS (PARK AND PLAZA) AND THE DEVELOPERS OF THE CONCORDIA TRACT TO THE NORTH ARE PLANNING TO INCLUDE STILL MORE MEDICAL OFFICE SPACE TARGETED TO ST. DAVID'S EMPLOYEES. IF THIS PROPOSED STRUCTURE WERE A LIFE-SAVING FACILITY, SUCH AS THE NEWLY-CONSTRUCTED EMERGENCY CENTER, I MIGHT FEEL DIFFERENTLY, BUT THE CURRENT PROPOSAL IS ~~a~~ TRANSPARENTLY NOTHING MORE THAN A MONEY-MAKING ENDEAVOR BY AN ALREADY-GIGANTIC CORPORATE ENTITY.

SINCERELY,

ELIZABETH J. AMOURICAN  
(512) 217-3146  
GIELLAT@AOL.COM

## **Hancock Neighborhood Association**

October 17, 2006

To: City of Austin Planning and Zoning  
attn: Jorge Rousselin  
505 Barton Springs, Floor 5  
Austin, TX 78704

Hancock Neighborhood Association would like to update the City on our concerns with St. David's PUD and with the status of our discussions with St. David's. The St. David's PUD issue has been ongoing for quite a while now. Hancock has been working hard to reach an agreement with St. David's. St. David's has been willing to meet and we appreciate the time that they have made available to hear from us. I believe that there is nothing contained in this letter that we have not communicated to St. David's during our meetings with them.

Recently, Hancock met with St. David's to try and work out an agreement. This meeting was a more serious effort to negotiate than past meetings. This discussion is currently ongoing. We remain cautiously optimistic that this recent discussion may lead to an agreement with St. David's regarding neighborhood support for their PUD. However, we would be remiss not to state that we are not at agreement yet, and that we need to clearly communicate our concerns. We are hopeful, but I wish to be clear that the Hancock Neighborhood Association opposes the St. David's PUD application based on the current filing. There are currently too many unanswered questions about height and density and it's impact on the neighborhood and on traffic. One of the parcels in the PUD lies within the Hancock Neighborhood Association boundaries. We remain open to discussion. We do not oppose St. David's proposed changes in allowed uses, nor do we oppose a reduction in impervious cover requirements for the site. However the remainder of the PUD is not to our satisfaction at this time.

We do not believe that St. David's has made its case that offering additional medical services requires height increases of the magnitude of those proposed in this PUD. These concerns are compounded by the fact that over the past three to five years, St. David's has planned two and completed one major enhancement to their property. In one case, they requested a height variance, which the neighborhood supported, along the I-35 frontage of the site. The neighborhood has given a lot at this point, and now we are being asked to give more.

Hancock's main concerns are traffic, safety, and allowing no more than the current St. David's 60 feet of building height along Red River. The Hospital has failed to adequately convince us on these issues. While St. David's has addressed a few of our concerns, they have continued to hold to unacceptable heights, especially in the "middle" section which extends to Red River. St. David's has been asking for the ability to more than double the density on their property, although no specific plans expansion plans are yet in place.

## ***Hancock Neighborhood Association***

The desires of an entity to change their current zoning must be balanced with the needs of the city overall and with the needs of the surrounding neighbors. It is this balanced approach that Hancock has sought to achieve.

The hospital has a duty as any other property owner in Austin to be a responsible neighbor. We have been uncomfortable with the current PUD for some of the following reasons:

1. We are concerned about traffic- efficient traffic flow is important for the travel of emergency vehicles.
2. The 30<sup>th</sup> and Red River intersection will be negatively impacted by development per St. David's traffic impact analysis, and we have safety concerns as there are many student pedestrians and cyclists in the immediate area.
3. The PUD is looking for a waiver from compatibility.
4. Heights are excessive and St. David's has not demonstrated a near term need of development to requested heights.
5. There are no heights higher than 60 feet along Red River, north of the University. While our neighborhood plan acknowledged density along Red River, it seeks to maintain current heights.
6. St. David's is not a downtown site and the sought downtown heights do not belong in a neighborhood area. Requested heights of 175 feet are almost triple what is currently allowed.
7. Any heights over 60 feet should require a variance so that the neighborhood can assess the specific need and the specific height/bulk/location of the proposed height. The neighborhood showed a willingness to discuss a variance in good faith when it agreed to a height variance for a portion of the site along I-35.

The hospital has offered the following concessions to the neighborhood:

1. Heights pushed to I-35.
2. Path for traffic from new MOB garage to 32<sup>nd</sup> and then forced right turn to direct traffic to frontage road.
3. Will join in a request with neighborhood to widen 32<sup>nd</sup> street to existing ROW and St. David's will dedicate property along 32<sup>nd</sup> St. for sidewalks provided no adverse impact on impervious cover.
4. Some uses allowed in current CS, GR, GO zoning eliminated in new PUD use list.
5. Maintain the existing trees within 30' of the roadway along 32<sup>nd</sup>, Red River, and 30<sup>th</sup> Streets and replace any trees taken during construction. If on-site replacement is not possible, one for one replacement for destroyed trees in locations selected by the Hancock and Eastwoods Neighborhood Associations.
6. Provide upgraded on-site directional signage. (They would want to do this anyway.)
7. Request CapMetro incorporate a link to the area commuter rail stop.
8. Maintain employee shift changes outside 7:30-9:30am and 4:30-6:30pm. (This is already happening.)

## **Hancock Neighborhood Association**

Concessions the neighborhood has offered to the developer include:

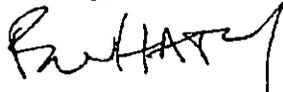
1. Look at giving the hospital CS standards of 2:1 FAR and 95% impervious cover for whole deal. Agree to uses sought by applicant in their PUD. (Note that this alone is a huge amount of additional development rights.)
2. Support hospital in wanting to be able to install a sky bridge across 32<sup>nd</sup> to link to the hospital's north parcel.
3. Supported Hospital for a 120 feet variance in the southeast corner of the property. We will consider allowing additional height on the entire eastern half of the main 13 acre property (to 220 feet to the west of the I-35 property line). Any additional agreements to height would require more information from the hospital for the neighborhood.
4. Available to listen to and potentially support future requests for height variances as the needs arise.

Hancock would like to see the additional following items in St. David's PUD:

1. St. David's to lobby for, pay pro-rata share and dedicate to ROW if necessary for a signalized left turn lane on 32<sup>nd</sup> at Red River. We understand that widening of 32<sup>nd</sup> cannot continue across Red River due to space restraints on the western side of Red River.
2. St. David's to support/joint-fund a city generated comprehensive traffic modeling of the area showing conditions before and after the proposed development, as the cumulative effect of the St. David's and East Avenue PUDs next door to each other is of great concern to the neighborhood. We want to feel comfortable that a thorough look has been given by the City of the cumulative effect of the two neighboring PUDs.
3. St. David's to reduce heights currently requested.
4. St David's to consider making a contribution to enhance the neighborhood to help offset increased traffic burdens and increased people drawn to the area.

Hancock believes in the approach of requiring density bonuses for property owners that want to increase their development rights. We think this is fair. A PUD is not simply a zoning tool that allows a property owner to replace or delete zoning restrictions that do not suit them. Any request for relaxation of zoning restrictions should be based on an imminent need for development and should balance the needs of the surrounding neighborhood. Hancock will continue to be open to reaching some sort of mutually agreeable resolution with St. David's.

Sincerely,



Bart Whatley,  
Hancock Neighborhood Association President